

STATE OF NEW HAMPSHIRE

Tobacco Litigation Report

2001-2006

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
10/31/2001	State of New Hampshire v. Sekap SA Greek Cooperative Manufacturing Company	01-E-0395	<i>Dismissed and refiled</i>

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
No	06/10/02	No	N.A.
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Dismissed to consolidate 2000 and 2001 claims into single lawsuit in 2001

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
10/31/2001	State of New Hampshire v. Choice Tobacco USA, Ltd	01-E-0396	<i>Dismissed and refiled</i>

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
No.	N.A.	N.A.	N.A.
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Lawsuit originally named United States Distributor; dismissed and refiled against manufacturer in 2001.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
10/31/2001	State of New Hampshire v. Mohanlal Hargovinddas	01-E-0397	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	06/06/02	Y	6/5/2004
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$278.25	\$834.75	\$1,202.50	\$2,315.50

Comment

Company has not paid judgment; barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
10/31/2001	State of New Hampshire v. Smokers Choice and Sable Waghire & Co, Ltd.	01-E-0398	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	06/10/02	Y	6/10/2004
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$498.98	\$1,496.94	\$1,202.50	\$3,198.42

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
10/31/2001	State of New Hampshire v. Winner Co.	01-E-0401	Dismissed

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
No	N.A.	No	N.A.
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Dismissed against Winner on determination that Winner was distributor for Sable Waghire products; Sable Waghire was fabricator and proper defendant. Case re-filed against Sable Waghire.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
10/31/2001	State of New Hampshire v. Tekel Marketing and Distribution	01-E-399	Dismissed

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ended</i>
Y	05/16/02	Y	05/16/04
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Dismissed upon determination that product was handled and escrow properly paid by G.A. Andron/VCT.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
10/31/2001	State of New Hampshire v. Earth Tobacco Corporation and 3B Holdings, Inc.	01-E-400	Dismissed

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
N	01/30/02	N	N.A.
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Dismissed to consolidate into single lawsuit v. Earth Tobacco in 2002.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
4/1/2002	State of New Hampshire v. NV Sumatra Tobacco Trading Corp.	02-E-0013	Pending

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
N	N.A.	N	N.A.
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

N.V. Sumatra has contested state's jurisdiction and service of process. Superior Court found for state on both issues.

N/V Sumatra appealed by agreed upon interlocutory process as to both issues.

In February 2006, State Supreme Court remanded matter to trial court for further proceedings re service of process issues.

N.V. Sumatra is presently banned from State's compliance list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
5/13/2002	State of New Hampshire v. PT Bentoel Prima Malang	02-E-0143	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	03/11/03	Y	3/11/2005
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$1,046.61	\$3,121.83	\$740.00	\$4,908.44

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
5/30/2002	State of New Hampshire v. Sekap SA Greek Cooperative Manufacturing Co.	02-E-0156	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	07/31/03	Y	7/31/2005
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$127,003.63	\$381,010.89	\$1,803.75	\$509,818.27

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
6/17/2002	State of New Hampshire v. Choice Tobacco USA, Ltd. and Choice Tobacco, Inc.	02-E-0172	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	09/12/03	Y	9/12/2005
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$5,661.67	\$16,985.01	\$6,391.41	\$29,038.09

Comment

Company has been in contact due to some inadvertent sales in 2004 by out of state wholesaler. Has partially funded an escrow for 2004.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
8/9/2002	State of New Hampshire v. G.A. Keranis (Tobacco) S.A.	02-E-0113	Default Judgment

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
Y	09/24/03	Y	9/24/2005
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$105,810.54	\$317,431.62	\$5,596.49	\$428,838.65

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
10/4/2002	State of New Hampshire v. China Tobacco and China Tobacco	02-E-0144	Dismissed and Refiled

Import and Export Corporation

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
N	N.A.	N.A.	N.A.
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$0.00	\$0.00	\$0.00	\$0.00

Comment

Dismissed pursuant to agreement to name Yuxi Hongta as actual defendant in 2004. Consent judgement entered v. Yuxi Hogta in 2004.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
3/24/2003	State of New Hampshire v. 3B Holdings, Inc.	03-E-0123	Default Judgment

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
Y	10/01/03	Y	10/1/2005
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$2,468.95	\$7,046.85	\$6,676.35	\$16,192.15

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
11/24/2003	State of New Hampshire v. Cig-Tec Tobacco, LLC	03-E-0432	Default Judgment

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
Y	06/24/04	Y	6/24/2006
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$285,059.01	\$855,178.23	\$10,747.05	\$1,150,984.29

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
11/24/2003	State of New Hampshire v. GTC Industries, Ltd.	03-E-0433	Default Judgment

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
Y	07/01/04	Y	7/1/2006
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$206,024.30	\$618,072.82	\$2,177.50	\$826,274.62

Comment

Company has not paid judgment; Barred from NH certification list.

<u>Date Filed</u>	<u>Case Name</u>	<u>Docket number</u>	<u>Status</u>
8/4/2004	State of New Hampshire v. CigTec Tobacco, LLC	04-E-0287	Default Judgment

<u>Judgment For State?</u>	<u>Judgment Date</u>	<u>Two Year Injunction?</u>	<u>Injunctive Period Ends</u>
Y	01/13/05	Y	1/3/2007
<u>Award</u>	<u>Civil Penalties</u>	<u>Attorney's Fees</u>	<u>Final Judgment</u>
\$381,920.72	\$1,145,762.16	\$622.50	\$1,528,305.38

Comment

Company has not paid judgment; Barred from NH certification list.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
8/5/2004	State of New Hampshire v. GTC Industries	04-E-0297	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	02/03/05	Y	2/3/2007
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$206,024.30	\$618,072.90	\$1,091.25	\$825,188.45

Comment

Company has not paid judgment; Barred from NH certification list.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
9/13/2004	State of New Hampshire v. Yuxi Hongta Changchun Cigarette Factory	04-E-0356	Consent Decree

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	09/21/04	Y	9/21/2006
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$484.25	\$0.00	\$5,365.00	\$5,849.00

Comment

Filed by Consent Agreement in conjunction with dismissal of China Tobacco lawsuit.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
7/1/2005	State of New Hampshire v. GTC Industries, Ltd.	05-E-248	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	12/01/05	Y	12/01/07
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$136,050.49	\$408,151.47	\$629.25	\$544,831.21

Comment

Company has not paid judgment; Barred from NH certification list.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
7/1/2005	State of New Hampshire v. Sekap S.A. Greek Cooperative Manufacturing Co.	05-E-249	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	12/05/05	Y	10/17/2007
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$55,699.66	\$167,098.98	\$629.25	\$223,427.89

Comment

Company has not paid judgment; Barred from NH certification list.

<u><i>Date Filed</i></u>	<u><i>Case Name</i></u>	<u><i>Docket number</i></u>	<u><i>Status</i></u>
7/8/2005	State of New Hampshire v. CigTec Tobacco, L.L.C.	05-E-257	Default Judgment

<i>Judgment For State?</i>	<i>Judgment Date</i>	<i>Two Year Injunction?</i>	<i>Injunctive Period Ends</i>
Y	12/01/05	Y	12/1/2007
<i>Award</i>	<i>Civil Penalties</i>	<i>Attorney's Fees</i>	<i>Final Judgment</i>
\$106,572.16	\$319,716.45	\$629.25	\$426,917.86

Comment

Company has not paid judgment; Barred from NH certification list.